

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

JILL BABCOCK, *et al.*,

Plaintiffs,

v.

STATE OF MICHIGAN, *et al.*

Defendants.

CLASS ACTION  
JURY DEMAND

CASE No.: 2:22-cv-12951  
HON. JONATHAN J.C. GREY

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**PLAINTIFFS’ REPLY TO DEFENDANT DWJBA’S RESPONSE TO  
PLAINTIFFS’ MOTION TO SUPPLEMENT PARAGRAPH 56 OF  
PLAINTIFFS’ SECOND AMENDED COMPLAINT [ECF No. 121]**

Plaintiffs, through undersigned counsel, hereby submit their Reply to Defendant DWJBA’s Response to Plaintiffs’ Motion to Supplement Paragraph 56 of Plaintiffs’ Second Amended Complaint (ECF No. 121).

The additional allegations outlined in Plaintiffs’ Proposed Supplement to Paragraph 56 (ECF No. 119-2) relate to incidents that occurred within the past three years. The related claims fall under the Americans with Disabilities Act (“ADA”) and Michigan’s Persons with Disabilities Civil Rights Act (“PDCRA”). Michigan law provides a three-year statute of limitations for PDCRA claims. M.C.L. 600.5805(2). “With respect to the federal claims, ‘[n]either § 1983, the ADA, nor the Rehabilitation Act provides a statute of limitations, so courts must borrow one

from the most analogous state cause of action.” *Bruneau v. Aquinas Coll.*, No. 1:19-cv-1037 at 7 (W.D. Mich. Oct 05, 2021) (citing *J. Endres v. Northeast Ohio Medical University*, 938 F.3d 281, 292 (6th Cir. 2019)).

If this Court rules against Plaintiffs’ Motion, Plaintiff Jacobson will simply file a new Complaint alleging these claims. This will use additional unnecessary Court resources and is against the interest of judicial economy. With respect to the discrepancies identified by DWJBA, Plaintiff Jacobson is in the process of reviewing her documentation and will provide the Court with an updated Declaration with corrected information, if necessary.<sup>1</sup> With respect to Defendant’s remaining arguments, Plaintiffs rely on their Motion.

For the foregoing reasons, this Court should GRANT Plaintiff’s Motion to Supplement.

Dated: July 22, 2024

/s/ Elizabeth K. Abdnour

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<sup>1</sup> Plaintiff Jacobson was unable to complete this process in the seven-day reply timeline due to health complications.

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**CERTIFICATE OF SERVICE**

I, Elizabeth K. Abdnour, certify that on July 22, 2024, I filed this document by use of this Court's ECF system, which will serve copies to all counsel of record.

/s/ Elizabeth K. Abdnour